

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:19-cv-07473-ODW-JEM

RP Automotive, Inc. v. United States General Services Administration
Assigned to: Judge Otis D. Wright, II
Referred to: Magistrate Judge John E. McDermott
Cause: 05:552 Freedom of Information Act

Date Filed: 08/28/2019
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

RP Automotive, Inc.
doing business as
Socal Penske Dealer Group

represented by **Laura K Gantney**
Kyle Harris LLP
450 B Street Suite 1410
San Diego, CA 92101
619-600-0086
Fax: 619-600-5144
Email: lgantney@klhipbiz.com
ATTORNEY TO BE NOTICED

John S Kyle
Kyle Harris LLP
450 B Street Suite 1410
San Diego, CA 92101
619-600-0086
Fax: 619-600-5144
Email: jkyle@klhipbiz.com
ATTORNEY TO BE NOTICED

V.

Defendant

United States General Services Administration

represented by **Alarice M Medrano**
AUSA – Office of US Attorney
Civil Division
300 North Los Angeles Street Suite 7516
Los Angeles, CA 90012
213-894-0460
Fax: 213-894-7819
Email: alarice.medrano@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/28/2019	<u>1</u>	COMPLAINT Receipt No: 0973-24344432 – Fee: \$400, filed by Plaintiff RP AUTOMOTIVE, INC. D/B/A SOCAL PENSKE DEALER GROUP. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12) (Attorney John S Kyle added to party RP AUTOMOTIVE, INC. D/B/A SOCAL PENSKE DEALER GROUP(pty:pla))(Kyle, John) (Entered: 08/28/2019)
08/28/2019	<u>2</u>	CIVIL COVER SHEET filed by Plaintiff RP AUTOMOTIVE, INC. D/B/A SOCAL PENSKE DEALER GROUP. (Kyle, John) (Entered: 08/28/2019)
08/28/2019	<u>3</u>	Request for Clerk to Issue Summons on Complaint (Attorney Civil Case Opening), <u>1</u> , Civil Cover Sheet (CV-71) <u>2</u> filed by Plaintiff RP AUTOMOTIVE, INC. D/B/A SOCAL PENSKE DEALER GROUP. (Kyle, John) (Entered: 08/28/2019)
08/28/2019	<u>4</u>	NOTICE of Interested Parties filed by Plaintiff RP AUTOMOTIVE, INC. D/B/A SOCAL PENSKE DEALER GROUP, identifying Roger S. Penske, Jr.. (Kyle, John) (Entered: 08/28/2019)

08/29/2019	<u>5</u>	NOTICE OF ASSIGNMENT to District Judge Otis D. Wright, II and Magistrate Judge John E. McDermott. (ghap) (Entered: 08/29/2019)
08/29/2019	<u>6</u>	NOTICE TO PARTIES OF COURT-DIRECTED ADR PROGRAM filed. (ghap) (Entered: 08/29/2019)
08/29/2019	<u>7</u>	30 DAY Summons Issued re Complaint (Attorney Civil Case Opening), <u>1</u> as to Defendant United States General Services Administration. (ghap) (Entered: 08/29/2019)
08/30/2019	<u>8</u>	MINUTE ORDER IN CHAMBERS by Judge Otis D Wright, II: This action has been assigned to the calendar of Judge Otis D. Wright II. Counsel are STRONGLY encouraged to review the Central Districts website for additional information. (SEE DOCUMENT FOR SPECIFIC FILING REQUIREMENTS AND INFORMATION. The parties may consent to proceed before a Magistrate Judge appearing on the voluntary consent list. PLEASE refer to Local Rule 79-5 for the submission of CIVIL ONLY SEALED DOCUMENTS. CRIMINAL SEALED DOCUMENTS will remain the same. all proposed sealed documents must be submitted via e-mail to the Judges Chambers email address, EXCLUDING those submitted by pro se parties and IN CAMERA filings, which shall continue to comply with Local Rule 79-5.1. Please refer to the Judges procedures and schedules for detailed instructions for submission of sealed documents. (lc) (Entered: 08/30/2019)
09/23/2019	<u>9</u>	PROOF OF SERVICE Executed by Plaintiff RP Automotive, Inc., upon Defendant United States General Services Administration served on 9/3/2019, answer due 11/4/2019. Service of the Summons and Complaint were executed upon the United States Attorneys Office by delivering a copy to G. Ortega. Executed upon the Attorney Generals Office of the United States by delivering a copy to not specified. Executed upon the officer agency or corporation by delivering a copy to Jameise Kelley. Service was executed in compliance with Federal Rules of Civil Procedure. Due diligence declaration NOT attached. Registered or certified mail return receipt attached. Original Summons NOT returned. (Attachments: # <u>1</u> Exhibit Return Receipt)(Kyle, John) (Entered: 09/23/2019)
09/27/2019	<u>10</u>	Joint STIPULATION Extending Time to Answer the complaint as to United States General Services Administration answer now due 10/29/2019, re Complaint (Attorney Civil Case Opening), <u>1</u> filed by Defendant United States General Services Administration.(Attorney Alarice M Medrano added to party United States General Services Administration(pty:dft))(Medrano, Alarice) (Entered: 09/27/2019)
10/28/2019	<u>11</u>	STIPULATION for Extension of Time to File Answer to November 6, 2019 re Complaint (Attorney Civil Case Opening), <u>1</u> filed by Defendant United States General Services Administration. (Attachments: # <u>1</u> Proposed Order)(Medrano, Alarice) (Entered: 10/28/2019)
10/29/2019	<u>12</u>	ORDER FURTHER EXTENDING TIME TO RESPOND TO COMPLAINT granting Stipulation <u>11</u> by Judge Otis D. Wright, II: IT IS HEREBY ORDERED, for the reasons set forth in the parties' Stipulation to Further Extend Time to Respond to Complaint, that Defendant, United States General Services Administration ("GSA"), shall have up to and including November 6, 2019, within which to answer, move or otherwise respond to Plaintiff's Complaint. (bm) (Entered: 10/30/2019)
11/06/2019	<u>13</u>	STIPULATION for Extension of Time to File Answer to January 6, 2020 re Complaint (Attorney Civil Case Opening), <u>1</u> filed by Defendant United States General Services Administration. (Attachments: # <u>1</u> Proposed Order)(Medrano, Alarice) (Entered: 11/06/2019)
11/07/2019	<u>14</u>	ORDER GRANTING Stipulation to Extend Time to Answer (More than 30 days) <u>13</u> by Judge Otis D. Wright, II. Defendant shall have to and including January 6, 2020 to answer, move or otherwise respond to Plaintiffs Complaint. (shb) (Entered: 11/07/2019)
01/06/2020	<u>15</u>	Joint STIPULATION to AMEND filed by defendant United States General Services Administration. (Attachments: # <u>1</u> Proposed Order)(Medrano, Alarice) (Entered: 01/06/2020)
01/07/2020	<u>16</u>	ORDER ALLOWING PLAINTIFF TO FILE A FIRST AMENDED COMPLAINT AND FOR A RESPONSE <u>15</u> by Judge Otis D. Wright, II: Plaintiff may have until

		January 24, 2020, to file a First Amended Complaint. Defendant may have until February 7, 2020, to answer, move or otherwise respond to Plaintiffs First Amended Complaint. (lc) (Entered: 01/07/2020)
01/22/2020	<u>17</u>	STIPULATION for Order to Continue the Deadline For Plaintiff to File a First Amended Complaint and For Defendant to Respond filed by Defendant United States General Services Administration. (Attachments: # <u>1</u> Proposed Order)(Medrano, Alarice) (Entered: 01/22/2020)
01/23/2020	<u>18</u>	ORDER CONTINUING THE DEADLINE FOR PLAINTIFF TO FILE A FIRST AMENDED COMPLAINT TO FEBRUARY 24, 2020 AND FOR A RESPONSE TO MARCH 9, 2020 <u>17</u> by Judge Otis D. Wright, II (lc) (Entered: 01/23/2020)
02/24/2020	<u>19</u>	First AMENDED COMPLAINT against United States General Services Administration United States General Services Administration amending Complaint (Attorney Civil Case Opening), <u>1</u> , filed by Plaintiff RP Automotive, Inc. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16)(Kyle, John) (Entered: 02/24/2020)
03/09/2020	<u>20</u>	ANSWER to Amended Complaint/Petition,, <u>19</u> filed by Defendant United States General Services Administration.(Medrano, Alarice) (Entered: 03/09/2020)
03/10/2020	<u>21</u>	ORDER that the Scheduling Conference is set for 6/8/2020 1:30 PM ; compliance with FRCP 16, and 26(f) and filing of joint report; Counsel for plaintiff shall immediately serve this Order on all parties, including any new parties to the action by Judge Otis D Wright, II (lc) (Entered: 03/10/2020)
06/01/2020	<u>22</u>	JOINT REPORT Rule 26(f) Discovery Plan filed by Defendant United States General Services Administration.. (Medrano, Alarice) (Entered: 06/01/2020)
06/03/2020	<u>23</u>	SCHEDULING AND CASE MANAGEMENT ORDER (SEE THE SUPPLEMENTAL ORDER SETTING BRIEFINGSCHEDULE FOR THE SPECIFIED DATES) by Judge Otis D. Wright, II (lc) (Entered: 06/03/2020)
06/03/2020	<u>24</u>	SUPPLEMENTAL ORDER SETTING BRIEFING SCHEDE by Judge Otis D. Wright, II: The Court VACATES the Scheduling Conference set for June 8, 2020, and issues the briefing scheduling set forth below. Where the Scheduling and Case Management Order and this Order conflict, this Order shall govern. The Court ORDERS that Plaintiff shall not be permitted to conduct any discovery absent a further order from this Court, and after a showing that Defendants affidavits areinsufficient to meet its burden on summary judgment. The Court further ORDERS that briefing shall be completed as follows:Defendant will file and serve a Motion for Summary Judgment and Vaughn Index/Declaration: September 28, 2020; Plaintiff will file any Cross-Motion for Summary Judgment and Opposition toDefendants Motion, including, if appropriate, a renewed request for discovery: October 26, 2020; Defendant will file a Reply/Opposition; Plaintiff will file any Reply: November 25, 2020; Hearing on Cross-Motions: December 14, 2020, at 1:30 p.m. (lc) (Entered: 06/03/2020)
06/29/2020	<u>25</u>	NOTICE of Settlement filed by Defendant United States General Services Administration. (Medrano, Alarice) (Entered: 06/29/2020)
07/01/2020	<u>26</u>	MINUTE ORDER IN CHAMBERS by Judge Otis D. Wright, II: In light of the parties recent Notice of Settlement <u>25</u> , the Court hereby ORDERS the parties TO SHOW CAUSE, in writing, no later than July 31, 2020, why settlement has not been finalized. No hearing will be held. All other dates and deadlines in this action are VACATED and taken off calendar. The Court will discharge this order upon the filing of a dismissal that complies with Federal Rule of Civil Procedure 41. Failure to timely respond to this order will result in the dismissal of this action. (lc) (Entered: 07/01/2020)